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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/788,225	02/16/2001	Neil R.N. Enns	50037.23US01/160456.1	3927

27488 7590 08/06/2004  
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EXAMINER

LUU, LE HIEN

ART UNIT PAPER NUMBER

2141

DATE MAILED: 08/06/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 09/788,225	<b>Applicant(s)</b> ENNS ET AL.	
	<b>Examiner</b> Le H Luu	<b>Art Unit</b> 2141	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 02/16/2001 - 05/21/2001.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-18 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>5/21/01</u> . | 6) <input type="checkbox"/> Other: _____  |

1. Claims 1-18 are presented for examination.
2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. § 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

3. Claims 1-18 are rejected under 35 U.S.C. § 102(a) as being anticipated by Henderson et al. (Henderson) patent no. 6,185,603.

4. As to claim 1, Henderson teaches the invention as claimed, including a method for sending a message using at least one transport, comprising:

receiving data including at least one address; and for each address in the data (col. 6 line 61 - col. 9 line 49),

determining a transport to deliver the message using data associated with the address (col. 3 lines 4-10; col. 6 line 61 - col. 9 line 49); and

setting a flag associated with the message to indicate the determined transport (col. 3 lines 4-10).

2. As to claims 2-4, Henderson teaches determining the transport includes examining the data associated with the address for pre-defined patterns; an address is determined to be a wireless address if the address contains numbers, and determined

to be a default transport if the data associated with the address contains no identifiable predefined pattern (col. 6 line 61 - col. 9 line 49).

5. As to claims 5-6, Henderson teaches the data associated with the address explicitly indicates that a particular transport should deliver the message to the address; and the data is associated with the address in response to a user selecting the address from a list (col. 6 line 61 - col. 7 line 19).

6. As to claims 7-8, Henderson teaches each transport performing the actions of: determining if the flag indicates the transport should deliver the message; and if so, delivering the message; and each transport performing the actions of: determining if the transport is a last transport to send the message; and if so, further processing the message (col. 5 lines 16-30; col. 6 line 61 - col. 9 line 49).

7. As to claims 9-11, Henderson inherently teaches an email system that capable of processing the message includes moving the message to a destination folder; the destination folder is a sent items folder or a deleted items folder (col. 4 line 47 - col. 5 line 31).

8. Claims 12-18 have similar limitations as claims 1-11; therefore, they are rejected under the same rationale.

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9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Le H. Luu, whose telephone number is (703) 305-9650. The examiner can normally be reached Monday through Friday from 7:00 AM to 4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rupal Dharia, can be reached at (703) 305-4003. The fax phone number for the organization where this application or proceeding is assigned is (703) 746-7240.

Any inquiry of a general nature of relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-9600.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

or faxed to:

(703) 872-9306, (for formal communications; please mark "EXPEDITED PROCEDURE").

Or:

(703) 872-9306 (for informal or draft communications, please label "PROPOSED" or "DRAFT").

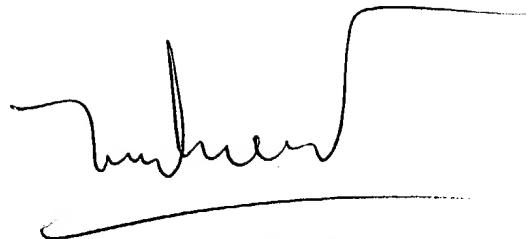
Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA., Sixth Floor (Receptionist).

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A handwritten signature in black ink, appearing to read 'Le Hien Luu', with a long horizontal line extending from the end of the signature.

LE HIEN LUU  
PRIMARY EXAMINER

August 02, 2004

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